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10/581,502

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EXAMINER

RUST, ERIC A

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/581,502	<b>Applicant(s)</b> SIEMENS ET AL.	
	<b>Examiner</b> ERIC A. RUST	<b>Art Unit</b> 2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 51-70 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 51-70 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. In the amendment filed December 17, 2009, claims 26-50 were canceled, and claims 51-70 were added. Accordingly, claims 51-70 are pending in this application.

### ***Priority***

2. Acknowledgment is made of Applicants' claim for foreign priority under 35 U.S.C. 119(a)-(d). However, the certified copy of Application No. 103 57 490.5, filed on December 09, 2003, in the German Patent Office, has NOT been received by the Office. The Examiner understands that Applicants will write to the PCT Office to ensure that, in accordance with PCT procedures, the copy of the certified priority document is sent to the U.S. Patent Office for the U.S. National Stage (see Amendment, filed December 17, 2009, pg. 8).

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 51-70 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**In regard to claims 51, 60, 69, and 70**, "under control and by use of," recited in claim 51, line 8, claim 60, line 8, claim 69, lines 9-10, and claim 70, lines 9-10, is unclear when taken in context with the surrounding recitations.

For purposes of examination, the Examiner will interpret this recitation simply to mean, "by use of . . ."

The remaining claims are rejected for depending on rejected claims and for not overcoming the rejections.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 51-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter, AAPA) in view of International Application Publication No. WO 03/025713 A2 to Dexter et al. (hereinafter, Dexter). Dexter was cited in the IDS filed by Applicants on June 02, 2006.

**In regard to claims 51 and 69**, AAPA discloses a method for processing print data (**AAPA, pg. 1, line 30 - pg. 2, line 4**), comprising the steps of:

generating a print data stream with data of a plurality of print pages wherein a first object property is associated with at least one region of the print pages (**AAPA, pg. 1, line 30 - pg. 2, line 4**);

with a computer, processing the print data wherein at least one part of the at least one region of one of the plurality of print pages of the print data stream is selected (**AAPA, pg. 1, line 30 - pg. 2, line 4**);

during said processing, in a first raster process rasterizing at least the print data of the selected part of the at least one region under control and by use of said first object property (**AAPA, pg. 1, line 30 - pg. 2, line 4**).

AAPA does not specifically disclose displaying at least the rasterized print data of said first raster process on a display; with the computer, associating at least one second object property differing from the first object property with the selected part of the at least one region; and with the computer processing the print data of said selected part of the at least one region in a second raster process dependent on both of the first and the second object properties.

Dexter, however, discloses displaying at least print data on a display (**Dexter, Fig. 5, and [0037], lines 1-2**);

associating at least one second object property with the selected part of the at least one region (**Dexter, [0037], lines 6**); and

processing the print data of said selected part of the at least one region in a raster process (**Dexter, [0038], lines 1-2**).

The combination of AAPA and Dexter would result in displaying at least the rasterized print data of said first raster process on a display; with the computer, associating at least one second object property differing from the first object property with the selected part of the at least one region; and with the computer processing the print data of said selected part of the at least one region in a second raster process.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Dexter with the teachings of AAPA in order to reduce time and the skill of a desktop operator (**Dexter, [0007], lines 1-2**), thereby reducing cost.

Neither AAPA nor Dexter specifically disclose processing the print data dependent on both of the first and the second object properties.

However, processing data dependent on both of the first and the second object properties would result in redundancy in regard to the first object property, thereby ensuring proper output. That is, a user would process the data dependent on both of the first and the second object properties if the user was more concerned about quality.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify AAPA and Dexter to have the data processed dependent on both of the first and the second object properties to ensure the quality of the final output.

**In regard to claims 60 and 70**, AAPA discloses a method for processing print data (**AAPA, pg. 1, line 30 - pg. 2, line 4**), comprising the steps of:

generating a print data stream with data of a plurality of print pages wherein a first object property is associated with at least one region of the print pages (**AAPA, pg. 1, line 30 - pg. 2, line 4**);

with a computer, processing the print data wherein at least one part of the at least one region of one of the plurality of print pages of the print data stream is selected (**AAPA, pg. 1, line 30 - pg. 2, line 4**);

during said processing, in a first raster process rasterizing at least the print data of the selected part of the at least one region under control and by use of said first object property (**AAPA, pg. 1, line 30 - pg. 2, line 4**).

AAPA does not specifically disclose displaying at least the rasterized print data of said first raster process on a display; with the computer, associating at least one second object property differing from the first object property with the selected part of the at least one region; and with the computer processing the print data of said selected part of the at least one region in a second raster process dependent on only the second object property.

Dexter, however, discloses displaying at least print data on a display (**Dexter, Fig. 5, and [0037], lines 1-2**);

associating at least one second object property with the selected part of the at least one region (**Dexter, [0037], lines 6**); and

processing the print data of said selected part of the at least one region in a raster process (**Dexter, [0038], lines 1-2**).

The combination of AAPA and Dexter would result in displaying at least the rasterized print data of said first raster process on a display; with the computer, associating at least one second object property differing from the first object property with the selected part of the at least one region; and with the computer processing the print data of said selected part of the at least one region in a second raster process.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Dexter with the teachings of AAPA in order to reduce time and the skill of a desktop operator (**Dexter, [0007], lines 1-2**), thereby reducing cost.

Neither AAPA nor Dexter specifically disclose processing the print data dependent on only the second object property.

However, processing data dependent only on the second object property would ensure that data was processed quickly, i.e., data would not be redundantly processed in regard to the first object property. A user would process the data dependent only on the second object property if the user was more concerned about the speed of the processing.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify AAPA and Dexter to have the data processed dependent only on the second object property to ensure timely output of the final product.

**In regard to claims 52 and 61**, which depend from claims 51 and 60, respectively, the combination of AAPA and Dexter disclose wherein a second print data



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stream is generated in which said second object property is associated with said selected part of the at least one region (**AAPA, pg. 1, line 30 - pg. 2, line 4, and Dexter, [0037], line 5, and [0038], lines 1-3**).

**In regard to claims 53 and 62**, which depend from claims 51 and 60, respectively, Dexter discloses wherein the at least one region comprises the entire print page (**Dexter, [0037], line 4**).

**In regard to claims 54 and 63**, which depend from claims 51 and 60, respectively, Dexter discloses wherein at least one of the first and second object properties pertains to at least one parameter of the type selected from the group consisting of output, print, and processing parameter types (**Dexter, [0037], lines 7-9, region type pertains to at least a processing parameter**).

**In regard to claims 55 and 64**, which depend from claims 51 and 60, respectively, Dexter discloses wherein at least one of the first and second object properties serves for selection of a color conversion method, a raster conversion method, or an error correction method (**Dexter, [0038], lines 12-13, RGB to CMYK for color photos**).

**In regard to claims 56 and 65**, which depend from claims 51 and 60, respectively, AAPA and Dexter disclose the claimed invention except wherein at least

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one of the first and second object properties serves for selection of a raster conversion method, and the raster conversion method comprises a Floyd-Steinberg raster method, a Burkes raster method, or a Stucki raster method.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have wherein at least one of the first and second object properties serves for selection of a raster conversion method, and the raster conversion method comprises a Floyd-Steinberg raster method, a Burkes raster method, or a Stucki raster method since it was known in the art that the Floyd-Steinberg raster method is commonly used in image manipulation software.

**In regard to claims 57 and 66**, which depend from claims 51 and 60, respectively, Dexter discloses wherein said selected part of the at least one region comprises an aerial region selected with aid of geometric figures comprising at least one of rectangles, circles, or polygons (**Dexter, Fig. 5, user selects region using rectangle**).

**In regard to claims 58 and 67**, which depend from claims 51 and 60, respectively, Dexter discloses wherein the print data contained in the print data stream has a resolution which is adapted to a resolution of the printer (**Dexter, [0038], lines 18-19**).

**In regard to claims 59 and 68**, which depend from claims 51 and 60, respectively, Dexter discloses wherein at least one of color or grey level values contained in the print data stream are adapted to device properties of the printer (**Dexter, [0037], lines 5-9, and [0038], lines 1-2, and lines 12-21**).

### ***Response to Arguments***

7. Applicants' arguments with respect to claims 51-70 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC A. RUST whose telephone number is (571)-270-3380. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Tieu can be reached on (571)-272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-270-4380.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ERIC A. RUST/

Examiner, Art Unit 2625

02/25/2010

/Benny Q Tieu/

Supervisory Patent Examiner, Art Unit 2625